

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BRANDON SMIETANA, SKYCOIN  
GLOBAL FOUNDATION LIMITED, a  
Singapore company, and SYMBOLIC  
ANALYTICS INC., a Delaware corporation,  
Plaintiffs,

v.

BRADFORD STEPHENS, AARON KUNSTMAN,  
JOEL WAYNE CUTHRIELL, MORGAN PECK,  
CATHERINE BYERLY, ADVANCE MAGAZINE  
PUBLISHERS INC. d/b/a THE NEW YORKER,  
and UNKNOWN INDIVIDUALS and  
COMPANIES,

Defendants.

Civil Action No. 24-cv-08617

Judge: Hon. John Robert Blakey

Magistrate Judge: Hon. Keri L. Holleb  
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**NOTICE OF MOTION**

PLEASE TAKE NOTICE that on Wednesday, December 11, 2024, at 11:00 a.m., or as soon thereafter as counsel may be heard, the undersigned counsel shall appear before the Honorable John Robert Blakey, or any other judge sitting in his stead, in Courtroom 1203 of the United States District Court for the Northern District of Illinois, Eastern Division, Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, Illinois 60604, and shall present Defendant Advance Magazine Publishers, Inc. d/b/a The New Yorker's Opposed Motion to Dismiss the Third Amended Complaint for Improper Venue Pursuant to Fed. R. Civ. P. 12(b)(3) & 28 U.S.C. § 1406(a), or in the Alternative, to Transfer Pursuant to 28 U.S.C. § 1404(a).

Dated: December 2, 2024

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

*/s/ Kate Bolger*  
Kate Bolger

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*Attorneys for Defendant Advance Magazine Publishers Inc. d/b/a The New Yorker*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on December 2, 2024, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system.

*/s/ Kate Bolger*  
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Kate Bolger